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PATENT APPLICATION
Attorney's Do. No. 8514-100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ned HOFFMAN et al.

Serial No.: 09/215,058

Group No.: 3622

Filed: December 17, 1998

Examiner: James W. Myhre

For: **TOKENLESS FINANCIAL ACCESS SYSTEM**

Confirmation No.: 7856

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed July 21, 2004, finally rejecting Claims 1-12 and 23-31. The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☐ other than a small entity
☒ small entity. Verified statement ☒ already filed on 12/17/1998.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

- ☒ small entity \$170.00

Notice of Appeal fee due \$170.00

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR

1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is : \$170.00

Notice of Appeal fee \$ 170.00

TOTAL FEE DUE

\$ 170.00

5. FEE PAYMENT

☒ Attached is PTO form 2038 authorizing credit card usage in the amount of \$170.00

- ☒ Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



Ariel S. Rogson, Reg. No. 43,054

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ON: *October 21, 2004*

James Power